

06-07-2002



Form PTO-1594

(Rev. 03/01)

OMB No. 0651-0027 (exp. 5/31/2002)

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U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

102115584

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Linda's Pita Holding Co.

5-30-02

- ☐ Individual(s) ☐ Association
☐ General Partnership ☐ Limited Partnership
☒ Corporation-State DE
☐ Other _____

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☐ Assignment ☒ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: August 25, 1994

2. Name and address of receiving party(ies)

Name: AmeriFoods Companies, Inc.

Internal

Address: _____

Street Address: 260 Old Philadelphia Pike

City: Lancaster State: PA Zip: 17602

- ☐ Individual(s) citizenship _____
☐ Association _____
☐ General Partnership _____
☐ Limited Partnership _____
☒ Corporation-State DE
☐ Other _____

If assignee is not domiciled in the United States, a domestic representative designation is attached: ☐ Yes ☐ No
 (Designations must be a separate document from assignment)
 Additional name(s) & address(es) attached? ☐ Yes ☐ No

4. Application number(s) or registration number(s):

A. Trademark Application No.(s) _____

B. Trademark Registration No.(s) 1,934,773

Additional number(s) attached ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Barry Werbin, Esq.

Internal Address: _____

Street Address: 2 Park Avenue

City: New York State: NY Zip: 10016

6. Total number of applications and registrations involved: _____

1

7. Total fee (37 CFR 3.41).....\$ 40.00

- ☒ Enclosed
☐ Authorized to be charged to deposit account

8. Deposit account number: _____

DO NOT USE THIS SPACE

9. Signature.

Barry Werbin

Name of Person Signing

Signature

May 29, 2002

Date

Total number of pages including cover sheet, attachments, and document: 4

Mail documents to be recorded with required cover sheet information to:
 Commissioner of Patent & Trademarks, Box Assignments
 Washington, D.C. 20231

06/06/2002 6TON11 00000081 1934773

01 FC:481

40.00 DP

TRADEMARK
 REEL: 002519 FRAME: 0419

State of Delaware

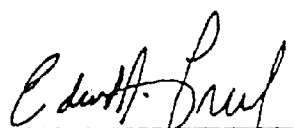
Office of the Secretary of State

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"LINDA'S PITA HOLDING CO.", A DELAWARE CORPORATION,
WITH AND INTO "AMERIFOODS COMPANIES, INC." UNDER THE NAME OF
"AMERIFOODS COMPANIES, INC.", A CORPORATION ORGANIZED AND
EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED
AND FILED IN THIS OFFICE THE TWENTY-FIFTH DAY OF AUGUST, A.D.
1994, AT 3:01 O'CLOCK P.M.

A CERTIFIED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO
THE NEW CASTLE COUNTY RECORDER OF DEEDS FOR RECORDING.




Edward J. Freel, Secretary of State

2178619 8100M

AUTHENTICATION:

7222609

944160191

DATE:

08-25-94

TRADEMARK

REEL: 002515 FRAME: 1

CERTIFICATE OF MERGER

MERGING

LINDA'S PITA HOLDING CO.

WITH AND INTO

AMERIFOODS COMPANIES, INC.

Linda's Pita Holding Co., a Delaware corporation ("Linda's"), and AmeriFoods Companies, Inc., a Delaware corporation ("AmeriFoods"), DO HEREBY CERTIFY AS FOLLOWS:

FIRST: That Linda's was originally incorporated on January 10, 1994, pursuant to the General Corporation Law of the State of Delaware (the "General Corporation Law"), that AmeriFoods was originally incorporated on November 18, 1988, pursuant to the General Corporation Law and that AmeriFoods filed a Restated Certificate of Incorporation on March 23, 1989.

SECOND: That an Agreement and Plan of Merger dated as of August 25, 1994 (the "Merger Agreement") between Linda's and AmeriFoods has been approved, adopted, certified, executed and acknowledged by each of Linda's and AmeriFoods in accordance with Section 251(c) of the General Corporation Law.

THIRD: That the name of the surviving corporation (the "Surviving Corporation") shall be AmeriFoods Companies, Inc.

FOURTH: That the Restated Certificate of Incorporation of AmeriFoods Companies, Inc., which was filed on March 23, 1989, shall be the Certificate of Incorporation of the Surviving Corporation.

FIFTH: That an executed copy of the Merger Agreement is on file at the principal place of business of the Surviving Corporation at the following address:

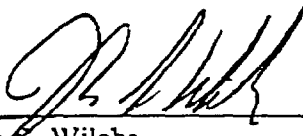
AmeriFoods Companies, Inc.
East 80 Route 4, Suite 205
Paramus, New Jersey 07652

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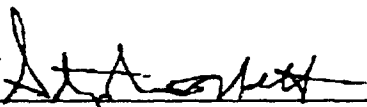
SIXTH: That a copy of the Merger Agreement will be furnished by the Surviving Corporation, on request, and without cost, to any stockholder of Linda's or AmeriFoods.

IN WITNESS WHEREOF, Linda's Pita Holding Co. has caused this Certificate of Merger to be signed by John S. Wilcha, its Chairman of the Board of Directors and President, and attested by Stephen B. Nett, its Secretary, and AmeriFoods Companies, Inc. has caused this Certificate of Merger to be signed by John S. Wilcha, its Chairman of the Board of Directors, President and Chief Executive Officer, and attested by Stephen B. Nett, its Assistant Secretary, each as of this twenty-fifth day of August, 1994.

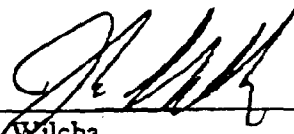
LINDA'S PITA HOLDING CO.

By: 
John S. Wilcha
Chairman of the Board of Directors
and President

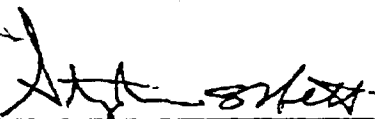
ATTEST:


Stephen B. Nett
Secretary

AMERIFOODS COMPANIES, INC.

By: 
John S. Wilcha
Chairman of the Board of Directors,
President and Chief Executive Officer

ATTEST:


Stephen B. Nett
Assistant Secretary

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